

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SHANNON TALLANT, *et al.*,

Plaintiffs,

vs.

U.S. DEPARTMENT OF THE ARMY,

Defendant.

Case No. 3:15-cv-0071-RRB

**ORDER GRANTING MOTION FOR
PARTIAL SUMMARY JUDGMENT**

This matter arises from allegations by the four Plaintiffs, consolidated from two separate cases, that the Alaska Air National Guard (“AKANG”) unlawfully disclosed Army Regulation (“AR”) 15-6 investigation reports of all four Plaintiffs to news media in violation of the Privacy Act, 5 U.S.C. § 552a.

In the Answers to the Complaints, the Defendant alleges that “[t]he AKANG is the federally recognized organized militia for the State of Alaska. As such, it is an Agency of the State of Alaska.” Docket 21 at 3; *See also* 3:15-cv-00072-RRB Docket 22 at 3. Plaintiffs now seek partial summary judgment on the issue of whether the AKANG, through the Army, is a Federal agency under the Privacy Act. Docket 57 at 8.

In response to the underlying motion, the defense states: “While the Army does not dispute that the Privacy Act applies under the facts as currently alleged by Plaintiffs, it disputes that it can be held liable under the facts of this case.” Docket 58 at 2. Furthermore, “the Army does not dispute that this Court should analyze the instant case within the framework of the Privacy Act.” *Id.* at 4.

Having considered the merits of the motion, and there being no apparent objection, the Motion for Partial Summary Judgment at **Docket 56** is **GRANTED**. The Court offers

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no opinion or ruling as to the other matters raised in the responsive pleading, as they were outside the scope of the underlying motion.

IT IS SO ORDERED this 26th day of May, 2016.

s/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE